



**U S Army Corps
of Engineers**
Huntington District

Public Notice

In reply refer to Public Notice No.
2008-235-SCR

Issuance Date:
May 21, 2008

Stream:
Scioto River M.P. 130

Closing Date:
June 20, 2008

Please address all comments and inquiries to:

U.S. Army Corps of Engineers, Huntington District

ATTN: CELRH-OR-F Public Notice No. (*reference above*)

502 Eighth Street

Huntington, West Virginia 25701-2070

Phone: (304) 399-5210

PUBLIC NOTICE: The purpose of this public notice is to inform you of a proposal for work in which you might be interested. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest. We hope you will participate in this process.

REGULATORY PROGRAM: Since its early history, the U.S. Army Corps of Engineers (Corps) has played an important role in the development of the nation's water resources. Originally, this involved construction of harbor fortifications and coastal defenses. Later duties included the improvement of waterways to provide avenues of commerce. An important part of our mission today is the protection of the nation's waterways through the administration of the Corps Regulatory Program.

SECTION 10: The Corps is directed by Congress under Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) to regulate all work or structures in or affecting the course, condition or capacity of navigable waters of the United States (U.S.). The intent of this law is to protect the navigable capacity of waters important to interstate commerce.

SECTION 404: The Corps is directed by Congress under Section 404 of the Clean Water Act (33 USC 1344) to regulate the discharge of dredged and fill material into all waters of the United States, including wetlands. The intent of the law is to protect the nation's waters from the indiscriminate discharge of material capable of causing pollution and to restore and maintain their chemical, physical and biological integrity.

TO WHOM IT MAY CONCERN: The following application has been submitted for a Department of the Army Permit under the provisions of Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act. This notice serves as the Corps of Engineers' request to the Ohio Environmental Protection Agency (OEPA) to act on Section 401 Water Quality Certification for the following application:

APPLICANTS: Columbus Department of Recreation and Parks
1111 East Broad Street
Columbus, Ohio 43205

LOCATION: The proposed project is located along the left descending bank of the Scioto River from mile point 131 to mile point 132, between Town Street and Main Street, in the City of Columbus, Franklin County, Ohio.

DESCRIPTION OF THE PROPOSED WORK: The applicant proposes to place approximately 10,335 cubic yards of dredged or fill material below the ordinary high water mark of 1,200 linear feet of the Scioto River for the purpose of expanding the John W. Galbreath Bicentennial Park approximately 70 feet riverward. The 1.9 acres of park enhancement would be established as landscaped greenspace including pedestrian and bicycle paths and would decline to meet the river at a 4:1 slope, transitioning to a 2:1 slope at the water's edge. The expansion of Bicentennial Park is an important facet of the overall Scioto Mile project, which includes a promenade along Civic Center Drive that will ultimately link Bicentennial Park to the Battelle Riverfront Park and the North Bank Park north of Broad Street. The Scioto Mile seeks to transform the riverfront into a high quality, active green corridor and to foster investments in the revitalization of downtown Columbus.

Plans of the proposal are attached to this notice.

MITIGATION PLAN: To compensate for impacts to the Scioto River, the applicant is proposing to construct two 20 foot wide linear bio-swale features to capture runoff from the park area and adjacent roadways, allowing it to infiltrate through the soil while removing pollutants and sediment before it enters the Scioto River. The bio-swales would be planted with a variety of native grasses and sedges to not only assist in improving water quality but to provide a microhabitat for small wildlife. In addition, the expansion of Bicentennial Park includes the development of a natural vegetated edge along the Scioto River. This vegetated slope would replace the existing artificial edge of the concrete floodwall and concrete revetment in this location. The proposed riparian corridor would be developed to mirror the natural edge along the opposite bank. A diversity of native riparian trees and shrubs would be planted along the created river edge.

Plans of the proposed work are attached to this notice.

WATER QUALITY CERTIFICATION: A section 401 Water Quality Certification is required for this project. It is the applicant's responsibility to obtain the certification from the Ohio Environmental Protection Agency.

HISTORIC AND CULTURAL RESOURCES: The National Register of Historic Places (NRHP) has been consulted and it has been determined that the proposed project area lies within the Columbus Civic Center historic district, which is listed on the NRHP. A copy of this public notice will be furnished to the Ohio State Historic Preservation Office (OHPO) for their review and comment. Our office, in consultation with the OHPO and other consulting parties, will continue to evaluate the potential for adverse impacts to historic properties associated with this proposal.

ENDANGERED/THREATENED SPECIES REVIEW: The project is located within the known or historic range of the following endangered species:

Indiana Bat
Scioto Madtom
Clubshell Mussel
Northern Riffleshell Mussel
Rayed Bean Mussel

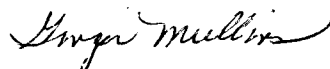
The Huntington District has consulted the most recently available information and has determined the proposed project may affect the clubshell mussel, northern riffleshell mussel and rayed bean mussel but will have no effect on the Indiana bat or Scioto madtom or designated Critical Habitat for these Federally listed species. This public notice serves as a request to the U.S. Fish and Wildlife Service for any additional information they may have on whether any listed or proposed to be listed endangered or threatened species may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1972 (as amended).

PUBLIC INTEREST REVIEW AND COMMENT: Any person who has an interest that may be adversely affected by the issuance of a permit may request a public hearing. The request must be submitted in writing to the District Engineer on or before the expiration date of this notice and must clearly set forth the interest which may be adversely affected and the manner in which the interest may be adversely affected by the activity. This application will be reviewed in accordance with 33 CFR 320-331, the Regulatory Program of the U. S. Army Corps of Engineers (USACE), and other pertinent laws, regulations, and executive orders. Our evaluation will also follow the guidelines published by the U. S. Environmental Protection Agency pursuant to Section 404(b) (1) of the CWA. Interested parties are invited to state any objections they may have to the proposed work. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit that reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered including the cumulative effects thereof; of those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. Written statements on these factors received in this office on or before the expiration date of this public notice will become a part of the record and will be considered in the final determination. A permit will be granted unless its issuance is found to be contrary to the public interest.

SOLICITATION OF COMMENTS: The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. For accuracy and completeness of the administrative record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

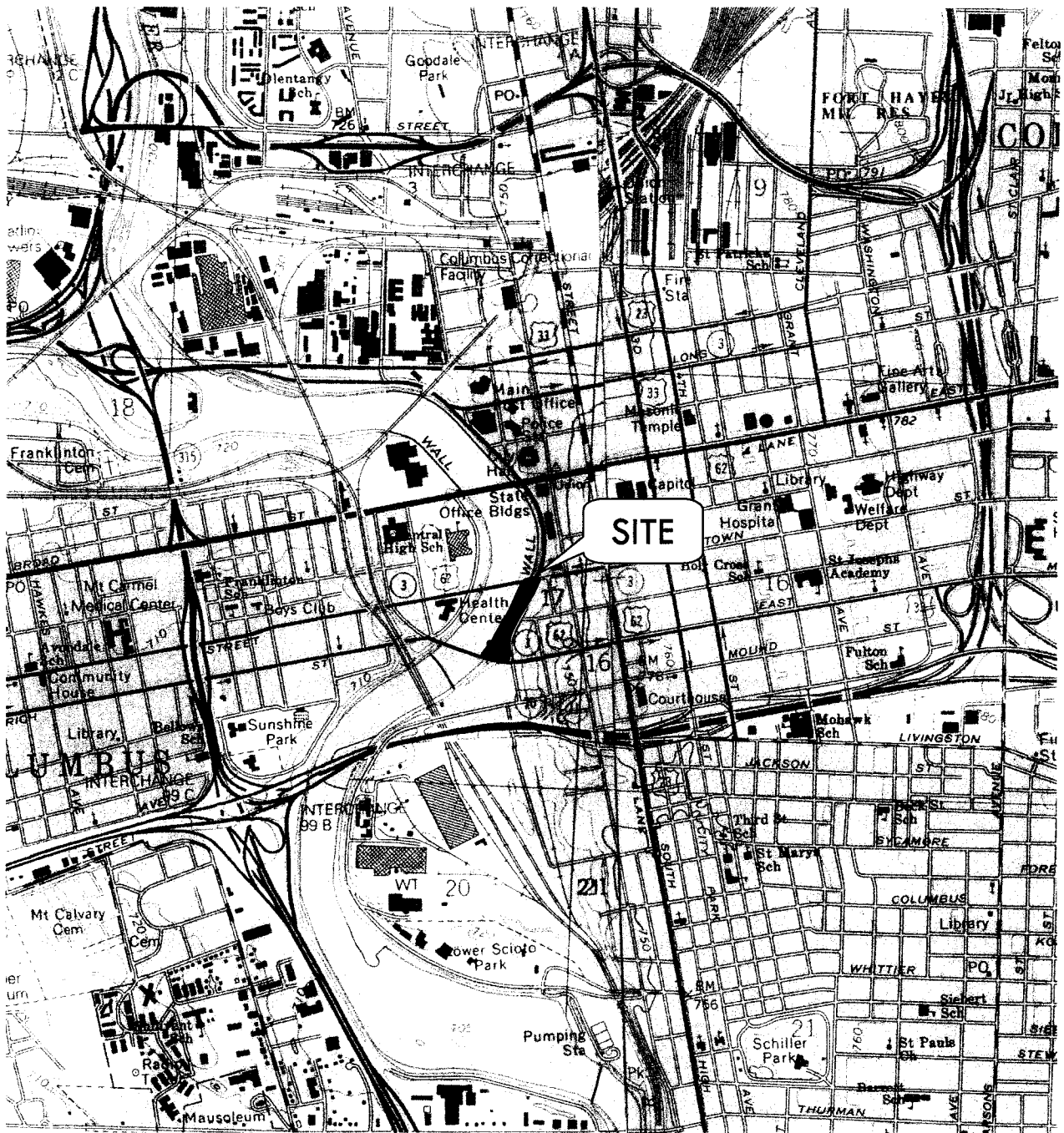
CLOSE OF COMMENT PERIOD: All comments pertaining to this Public Notice must reach this office on or before the close of the comment period listed on page one of this Public Notice. If no comments are received by that date, it will be considered that there are no objections. Comments and requests for additional information should be submitted to Ms. Lee A. Pittman, Project Manager, North Regulatory Section, USACE Huntington District, 502 Eighth Street, Huntington, West Virginia 25701-2070.

Please note, the names and addresses of those who submit comments in response to this public notice become part of our administrative record and, as such, are available to the public under provisions of the Freedom of Information Act. Thank you for your interest in our nation's water resources. If you have any questions concerning this public notice, please contact Ms. Lee A. Pittman of the North Regulatory Section at (304) 399-5210.



Ginger Mullins, Chief
Regulatory Branch

(O)



Southeast Columbus + Southwest Columbus USGS Topographic Maps

EMHT

Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Fax: 614.775.4800

M C M X X V I

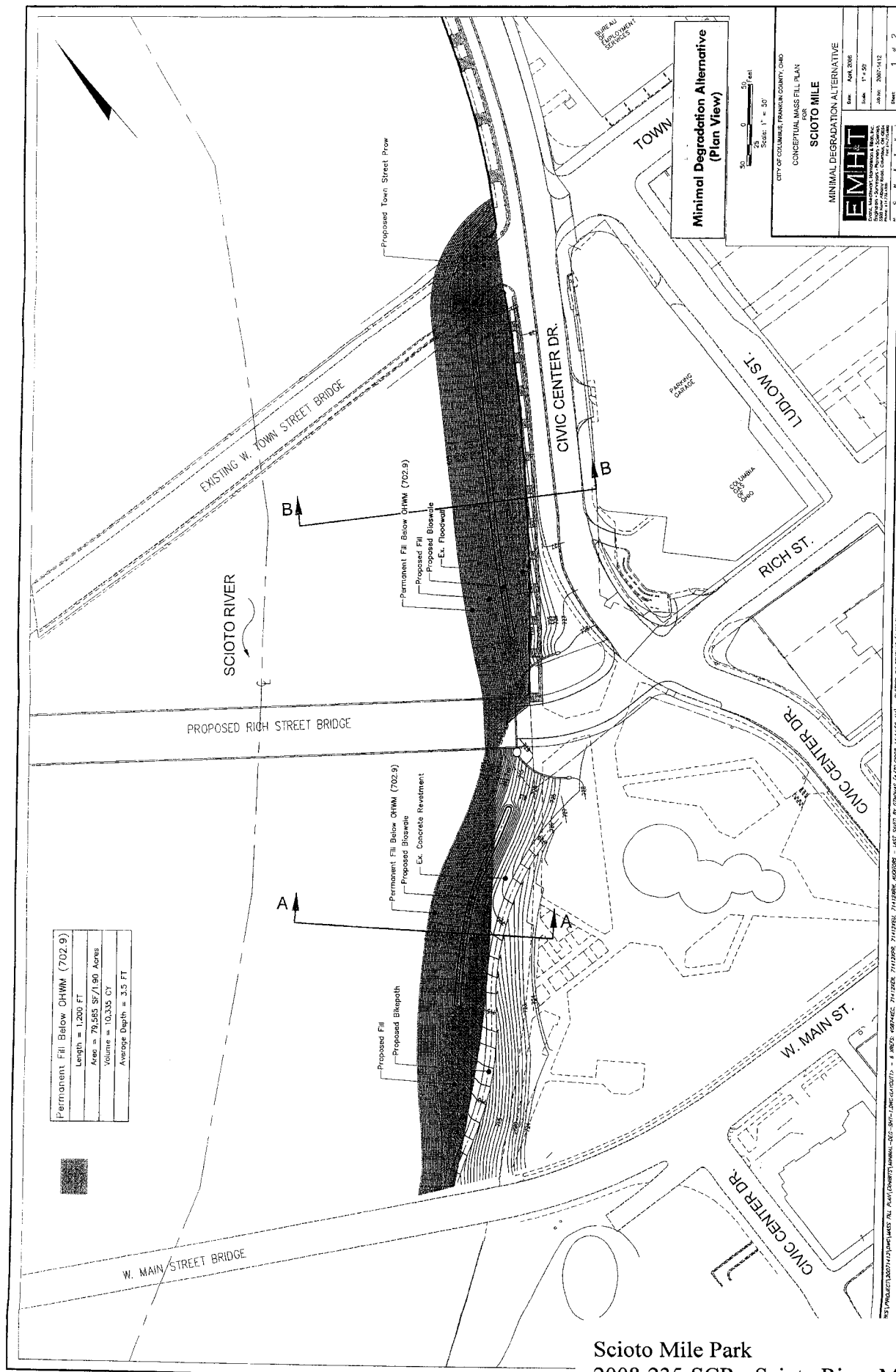


SCALE: 1" = 1000'

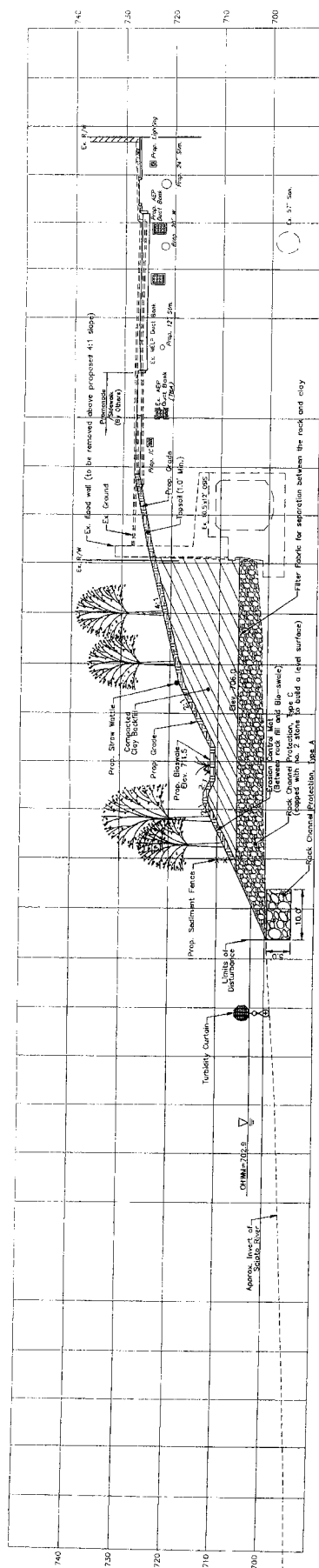
0 500 1,000

SCIOTO MILE PARK
COLUMBUS DEPARTMENT OF RECREATION AND PARKS

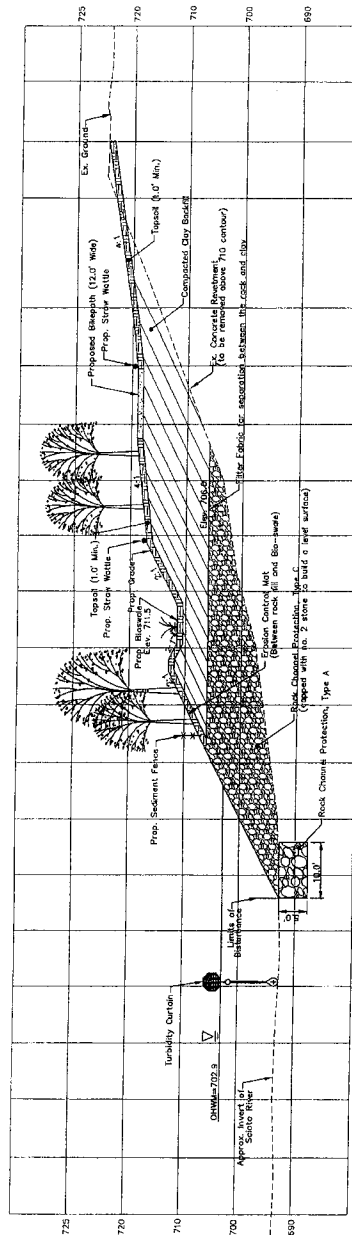
Scioto Mile Park
2008-235-SCR - Scioto River M.P. 130
Franklin County, Ohio
Location Map, Sheet 1 of 4



Scioto Mile Park
 2008-235-SCR - Scioto River M.P. 130
 Franklin County, Ohio
 Plan View, Sheet 2 of 4



SECTION B-B
As Noted



SECTION A-A
As Noted

Minimal Degradation Alternative (Cross Section)

CONCEPTUAL MASS FILL PLAN

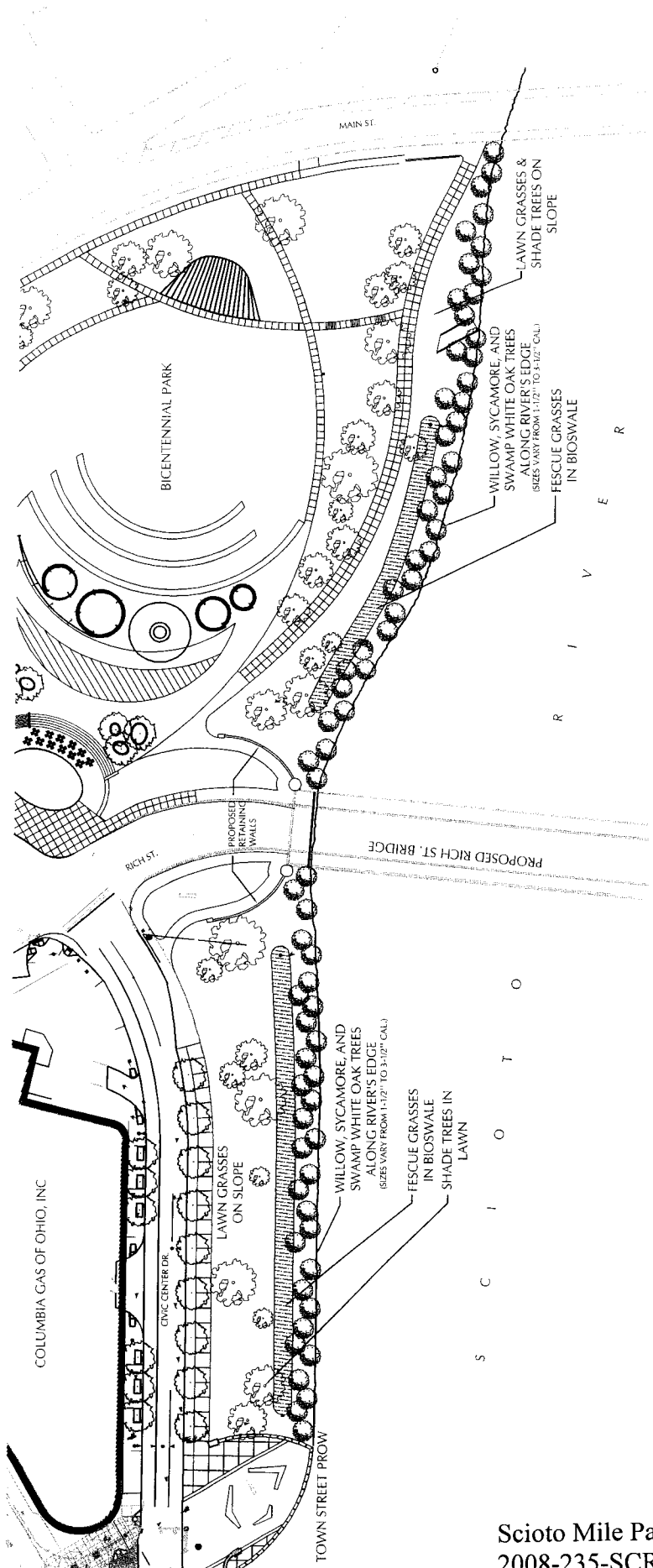
FOR
SCIOTO MILE

MINIMAL DEGRADATION OPTION



Edwin, Meritwood, Hambrick & Wilson, Inc.
Engineers • Surveyors • Planners • Scientists
5800 New Albany Road, Columbus, OH 43254
Phone: 614.774.4000 Fax: 614.775.4888

DATA\PROJECT\20071012\DMG\MASS FULL PLAN\EXHIBITS\ANNUAL-DEC-SHT-2.DMG\LAYOUT\> - NO XREFS - LAST SAVED BY GINOMAS (4/30/2008 7:54:26 AM) - PLOTTED BY GINOMAS (4/30/2008 7:56:27 AM)



SCIOTO MILE RIVER'S EDGE GENERAL LANDSCAPE PLAN

SCALE: 1" = 80'

4-29-08



Conceptual Landscape Plan
(Prepared by MSJ)